

DT-6796



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ulrich Schiestl et al.
SERIAL NO.: 10/828,763
FILED: April 20, 2004
FOR: Combustion-Engined Setting Tool
EXAMINER: Michelle Lopez Group: 3721

Mail Stop: **Amendment**
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The owner, **Hilte Aktiengesellschaft**, of 100 percent interest in instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of a prior patent No. 6, 722, 548 as the term of said prior patent is defined in 35 U.S.C. 154 to 156 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer filed prior to the patent grant," in the event that said prior patent later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CRF 1.321; has all claims cancelled by a reexamination certificate; is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney (agent) of record, Reg. No. 30, 541.

Terminal disclaimer fee under 37 C.F.R. § 1.20(d) in amount of \$130.00 is included.

Respectfully submitted,


Alexander Zinchuk